

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1265-2018 (O&M)
Date of Decision: 01.06.2018

Manjinder Singh

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Sant Pal Singh Sndhu, Advocate,
for the petitioner.

Mr. J.S. Walia, Sr. D.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Learned counsel for the petitioner submits that despite the fact that earlier a complaint was made to the police by respondent no. 2 qua the same occurrence, which was not further 'proceeded upon', it was not brought to the notice of the trial Court in the complaint instituted by him (as is under question in these proceedings), and as such, the trial Court has not referred to it in the impugned order.

On query to learned counsel for the petitioner as to whether the factum of the complaint earlier having been filed before the police regarding the same occurrence, and having been found to be false by the police, has been brought to the notice of the trial Court or not, he submits that the petitioner has only been summoned at this stage by the trial Court, with the said fact not brought to the notice of that Court.

This petition is, consequently, disposed of with a direction that upon the petitioner appearing before the trial Court, in response to summons issued to him, he would obviously be at liberty to bring the aforesaid fact to the notice of the trial Court by way of an application, with that Court to then see whether the provisions of Section 210 Cr.P.C. are attracted or not, and accordingly, to proceed further, thereafter.

June 01, 2018
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes.